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Counsel for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

In re:
USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,

Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

In re:
USA SECURITIES, LLC,

Debtor.

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

USACM LIQUIDATING TRUST; and
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC;

Plaintiffs,

v.

BEADLE, MCBRIDE, EVANS & REEVES, LLP,
REEVES, EVANS, MCBRIDE & ZHANG, LLP, TG
MCBRIDE CPA LTD., and T. GARTH MCBRIDE,

Defendants.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

JOINTLY ADMINISTERED
Chapter 11 Cases

Judge Linda B. Riegle

**SUPPLEMENTAL FILING IN
SUPPORT OF APPLICATION
TO COMPROMISE AND
SETTLE CONTROVERSIES
WITH BEADLE, MCBRIDE,
EVANS & REEVES, LLP, ET
AL.**

**SUPPLEMENTAL FILING IN SUPPORT OF APPLICATION
TO COMPROMISE AND SETTLE CONTROVERSIES WITH BEADLE,
MCBRIDE, EVANS & REEVES, LLP, ET AL.**

Geoffrey Berman (“Berman” or the “Trustee”), Trustee of the USACM Liquidating Trust (the “USACM Trust”) and Michael Tucker (“Tucker” or the “Manager”), Manager of the USA Capital Diversified Trust Deed Fund, LLC (“DTDF”) hereby file this supplement in support of their Application to Compromise and Settle Controversies with Beadle, McBride, Evans & Reeves, LLP, et al (the “Motion”). In accordance with the Court’s requests made during the hearing dated November 18, 2008, the USACM Trust and DTDF have attached the following items for the Court’s review and consideration: (i) an amended declaration of Tucker (attached hereto as Exhibit “A.”); (ii) a declaration of Garth McBride (attached hereto as Exhibit “B.”); and (iii) amended proposed findings of fact and conclusions of law (attached hereto as Exhibit “C.”).

Wherefore, premises considered, USACM Trust and DTDF respectfully requests this Court approve the settlement between the USACM Trust, DTDF, and Beadle, McBride, Evans & Reeves, LLP, et. al., and enter the amended proposed findings of fact and conclusions of law attached as Exhibit “C.”

DATED this 24th day of November, 2008.

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Respectfully Submitted:

DIAMOND McCARTHY LLP

LEWIS AND ROCA LLP

By: /s/ Eric D. Madden
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*Counsel for USACM Liquidating
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CERTIFICATE OF SERVICE

I hereby certify that, on November 24, 2008, a copy of the foregoing was served either electronically or via first class mail to all existing and prospective defendants to any suits brought or to be brought by the USACM Trust and/or DTDF.

/s/ Eric D. Madden
Eric D. Madden